

1. Requested Motion:

Meeting Date: June 7, 2010

Approve Change Order No.8, to the North Estero Drainage Improvement project in the amount of \$67,100.00 to install new seawalls at drainage beds #4 & #5.

Why the action is necessary:

Council must approve all purchases over \$25,000.00.

What the action accomplishes:

Allows for the replacement of existing seawalls that are very old and in poor condition.

2. Agenda:

- ☒ Consent
☐ Administrative

3. Requirement/Purpose:

- ☐ Resolution
☐ Ordinance
☒ Other: Change Order

4. Submitter of Information:

- ☐ Council
☒ Town Staff – Public Works
☐ Town Attorney

5. Background:

As part of the North Estero Drainage Improvement Project, treatment beds 4 & 5 will be installed within the right-of-way on Matanzas Court. Both beds are adjacent to old and failing seawalls. Southwest Utility Systems, Inc. has expressed concern about the condition of the seawalls and their ability to withstand the additional penetrations needed to complete the drainage beds. Staff had an independent marine consultant inspect the condition of the seawalls and concurs that both are in poor condition and need to be replaced. Once the treatment chambers are installed, the only access to replace the seawalls is to perform the work from the water as the treatment beds will not be able to sustain the weight load from the heavy equipment needed to perform the seawall work. It is possible to perform such a task from a barge in the water but this will substantially increase the project cost.



6. Alternative Action:

Do not approve

7. Management Recommendations:

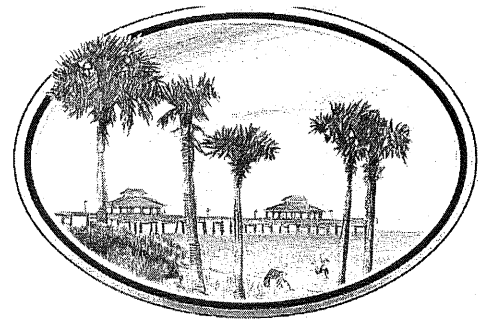
Staff recommends the approval of this change order.

8. Recommended Approval:

Town Manager	Town Attorney	Finance Director	Public Works Director	Community Development Director	Cultural Resources Director	Town Clerk
						

9. Council Action:

☐ Approved ☐ Denied ☐ Deferred ☐ Other



MEMO

DATE: May 28, 2010

TO: Terry Stewart, Town Manager

FROM: Cathie Lewis, Public Works Director *C Lewis*

SUBJECT: North Estero Blvd. Drainage Improvement Project

There are two seawalls along Matanzas Court that will be adjacent to treatment beds four and five, both are very old and in disrepair. As part of the construction of the beds, the two pipes that provide equalization between the canals on either side of the roadway will be removed and relocated. The treatment beds will also have one outfall each through the seawall.

Southwest Utility Systems, Inc. (SUSI) has expressed concern with the seawalls considering the extensive work needed. Due to these concerns, Coastal Environmental Consultants, Inc. (CEC) was contracted to inspect the seawalls and report on the condition. It is their opinion that the seawalls should be replaced due to the spalling with exposed steel, horizontal cracks with rust bleed through and deterioration of the seawall caps.

SUSI was requested to obtain prices for the installation of new seawalls in these locations. Kelly Brothers provided the most competitive price for rebuilding the seawalls. This price will be eligible to receive approximately 50% reimbursement from the South Florida Water Management District as part of the project grant. CEC has reviewed the proposal from Kelly Brothers and finds it satisfactory although is suggesting that certain construction methods and elements be modified. These modifications should not impact the overall cost, but if at all, will not be extensive and will be covered with an adjusting change order.

It may be possible to complete the extensive construction adjacent to and through the seawalls; however it is likely that the seawalls will require replacement within a short time period. Once the treatment beds are completed it will be impossible to construct new seawalls from the landward side of them. The beds with designed cover will support weight from vehicles but not heavy construction equipment. By waiting to reconstruct the seawalls it will be necessary to perform all work from barges located on the seaward side of the seawalls. This method of construction will increase the cost by approximately 30% and because of it being done outside of the project will not be eligible for funding from outside sources.

pc: file



TOWN of FORT MYERS BEACH

CONTRACT NO. CC-09-02-PW

PART E
FMB:011 - CONSTRUCTION CONTRACT
CHANGE ORDER

No.: 8

(A Change Order requires approval by the Finance Director for expenditures under \$50,000, approval by the Town Manager for expenditures between \$50,000.01 and \$100,000, or approval by the Town Council for expenditures over \$100,000).

CONTRACT/PROJECT NAME: NORTH ESTERO BLVD. DRAINAGE IMPROVEMENTS PROJECT

CONTRACTOR: SOUTHWEST UTILITY SYSTEMS, INC. PROJECT NO.: 05-0722

CONTRACT NO.: CC-09-02-PW BID NO.: BD-09-02-PW

CHANGE REQUESTED BY: Richard T. Cowart, President DATE OF REQUEST: 5/6/10

Upon the completion and execution of this Change Order by both parties to the Contract the Contractor is authorized to and shall proceed to make the following changes in the Contract Documents:
(If you need space other than what has been provided, please attach additional sheets.)

Description: To replace the existing seawall by Beds #4 & #5 on Matanzas St.

Purpose of Change Order: To replace existing wall due to poor condition of existing wall.

Attachments: (List documents supporting change)

Quote from Kelly Bros, Inc dated 4/29/10.

CHANGE IN CONTRACT PRICE:

Original Contract Price
\$2,975,000.00

Previous Change Order No. 1 to No. 7
\$183,419.42

Contract Price prior to this Change Order
\$3,158,419.42

Net Increase of this Change Order
\$67,100.00

Contract Price will all approved Change Orders
\$3,225,519.42

CHANGE IN CONTRACT TIME:

Original Contract Time
365 Calendar Days

Net Change from previous Change Orders
19 Calendar Days

Contract Time prior to this Change Order
384 Calendar Days

Net Increase of this Change Order
30 Calendar Days

Contract Time with all approved Change Orders
414 Calendar Days

It is understood and agreed that the acceptance of this modification by the CONTRACTOR constitutes an accord and satisfaction, and represents payment in full (both time and money) for all costs arising out of, or incidental to, the above mentioned change.

RECOMMENDED:

By: _____ Date _____
 Consultant (if applicable)

By: _____ Date _____
 Department Director

Contracts Management

APPROVED:

Town Attorney _____ Date _____

ACCEPTED

By: Kirby A. Tg
 Contractor

Date Accepted: _____

(CORPORATE SEAL)

TOWN APPROVAL:

By: _____
 Finance Director (Under \$25,000)

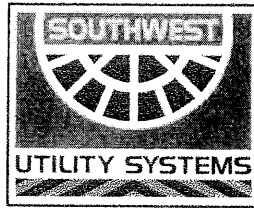
Date Approved: _____

By: _____
 Town Manager (Under \$25,000)

Date Approved: _____

By: _____
 Mayor, Town Council
 (Over \$25,000)

Date Approved: _____



June 14, 2010

Ms Cathie Lewis
Public Works Director
Town of Fort Myers Beach
2523 Estero Blvd
Fort Myers Beach, FL 33931

Re: "North Estero Blvd Drainage Improvements Project" Change Order #8

Ms. Lewis:

Per direction from the Town of Ft. Myers Beach we have priced out Change Order #8.

This change order consists of replacing the seawall on Matanzas St on both the north and south sides of the street by the drainage chambers. Attached you will find a quote from our subcontractor, Kelly Brothers Inc., for \$61,000.00. They will be the company actually installing the new seawall.

The change order itself is for \$67,100.00. The difference of \$6,100.00 is from a 10% markup for Southwest Utility Systems, Inc. The actual dollar amount is subject to vary due the forthcoming revised quote from Kelly Brothers Inc, which is for changes to the design of the seawall.

If you have any questions, please feel free to contact me at 239-267-0200.

Sincerely,

A handwritten signature in black ink, appearing to read "Brett Eckenrode", with a long horizontal flourish extending to the right.

Brett Eckenrode
Project Coordinator





KELLY BROTHERS, INC.

15775 Pine Ridge Road • Fort Myers, FL 33908
Phone: 239/482-7300 • Fax: 239/482-8014
www.kellybros.net

June 11, 2010

Mr. Brett Eckenrode
Southwest Utility System, Inc.
16341 Old US 41 S,
Fort Myers, FL 33912

Subject: Seawall Improvements at Matanzas Street,
Fort Myers Beach, FL

Dear Mr. Eckenrode:

Kelly Brothers, Inc. proposes to furnish materials, labor, equipment, tools, consumables and superintendence to design, manufacture and install approximately 165 LF of seawall on your ongoing utility improvements on Matanzas Street in Fort Myers Beach, FL in accordance with your meetings and correspondence with Dane Kelly.

Our lump sum price is Sixty One Thousand Dollars (\$ 61,000.00)

The above lump sum price is based on the following:

- 1.0 New seawall will be built using 8" thick x 4'-0" wide x 12'-0 long concrete panels, with 12" x 20" concrete cap reinforced with 5-#5 horizontal continuous rebar and # 3 ties at 12" OC. Tiebacks will be #6 HDG x 10'-0" long steel bars connected to half CY of concrete deadman at 10'-0" on centers. Seawall Panel will have a minimum of 40% (of total length) penetration into the mud line.
- 2.0 All concrete will be 5000 PSI and reinforcing steel will Grade 60.
- 3.0 New seawall panels will be installed in front of the existing seawall and gap between new and old seawall will be filled with # 57 stone.
- 4.0 Cast in place closure pour to connect new seawall to existing is included.
- 5.0 KBI will provide blocks-outs for six (6) wall pipe penetrations; SUSI will install, seal and grout all pipe penetration openings after pipe installations.
- 6.0 KBI will provide signed and sealed construction drawings, SUSI will be responsible for acquisition (if required) of all permits from governmental agencies.

Trust you will find the above satisfactory to your requirements. Thank you for the opportunity to be of service.

Very Truly Yours.
Kelly Brothers, Inc.

Chris C. Bautista
Project Manager